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VPI92-07CIP2ADIV3CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants : Roger D. Tung, et al.  
Application No. : 10/786,997 Confirmation No. : 9030  
Filed : February 24, 2004  
For : NOVEL SULFONAMIDE INHIBITORS OF  
ASPARTYL PROTEASE  
Examiner : D. Margaret Seaman  
Group Art Unit : 1625

New York, New York 10020  
January 7, 2005

Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c),  
applicants, through their attorneys, hereby make the  
following patents and publications of record in the above-  
identified patent application\*:

UNITED STATES PATENTS

Mohrs et al.	3,743,722	07/03/1973
Descamps et al.	4,330,542	05/18/1982
Ryono et al.	4,629,724	12/16/1986

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\* For the convenience of the Examiner, a completed Form  
PTO/SB/08A(10-01), listing these documents, is attached.

Martin et al.	5,196,438	03/23/1993
Kempf et al.	5,354,866	10/11/1994

FOREIGN PATENT DOCUMENTS

EP-0 022 118	01/07/1981	Sanofi SA
EP-0 181 071	03/14/1986	Squibb & Sons, Inc.
EP-0 264 795	04/27/1988	Merck Patent GmbH
EP-0 346 847	12/20/1989	Hoffmann LaRoche
EP-0 364 804	04/ 25/1990	Abbott Laboratories
EP-0 468 641	01/29/1992	Shionogi & Co.
EP-0 486 948	05/27/1992	Abbott Laboratories
EP-0 541 168	05/12/1993	Merck & Co. Inc.
DE-3542567	06/05/1986	Squibb & Sons, Inc.
GB-2,167,759	6/04/1986	Squibb & Sons, Inc.
GB-2,200,115	07/27/1988	Sandoz Ltd.
JP-59046252	03/15/1984	Dainippon Ink & Chemicals; Dainippon Ink Rikagaku Kenkuys
JP-59048449	03/19/1984	Dainippon Ink & Chemicals; Dainippon Ink Rikagaku Kenkuys
JP-61071830	04/12/1986	Dainippon Ink & Chemicals
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WO-91/00725	01/24/1991	Abbott Laboratories
WO-91/18866	12/12/1991	Du Pont Merck Pharma
WO-92/08688	05/29/1992	Monsanto Co.
WO-92/08698	05/29/1992	Monsanto Co.
WO-92/08699	05/29/1992	Monsanto Co.
WO-92/08700	05/29/1992	Monsanto Co.
WO-92/08701	05/29/1992	Monsanto Co.; Searle & Co.
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WO-93/23368	11/25/1993	Searle & Co.; Monsanto Co.
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WO-94/04492	03/03/1994	Searle & Co.; Monsanto Co.
WO-94/04493	03/03/1994	Searle & Co.; Monsanto Co.
WO-94/10134	05/11/1994	Searle & Co.; Monsanto Co.
WO-94/10136	05/11/1994	Searle & Co.; Monsanto Co.
WO-94/18192	08/18/1994	Merck & Co. Inc.
WO-94/19322	09/01/1994	Chugai Pharmaceuticals Ltd.; Esaki Toru

#### OTHER PUBLICATIONS

R.D. Bindal et al., "Ab Initio Calculations on N-Methylmethanesulfonamide and Methyl Methanesulfonate for the Development of Force Field Torsional Parameters and Their Use in the Conformational Analysis of Some Novel Estrogens", J. Am. Chem. Soc., 112, pp. 7861-68 (1990).

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R.F. Borch et al., "The Cyanohydridoborate Anion as a Selective Reducing Agent", J. Am. Chem. Soc., 93, pp. 2897-904 (1971).

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D.S. Dhanoa et al., "The Synthesis of Potent Macrocyclic Renin Inhibitors", Tetrahedron Lett., 33, pp. 1725-28 (1992).

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Structure-Activity Analysis Using Enzyme Kinetics, X-ray Crystallography, and Infected T-Cell Assays", Biochemistry, 31, pp. 6646-59 (1992).

B.E. Evans et al., "A Stereocontrolled Synthesis of Hydroxyethylene Dipeptide Isosteres Using Novel, Chiral Aminoalkyl Epoxides and  $\gamma$ -(Aminoalkyl)  $\gamma$ -Lactones", J. Org. Chem., 50, pp. 4615-25 (1985).

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E.E. Gilbert, "Recent Developments in Preparative Sulfonation and Sulfation", Synthesis, 1969, pp. 3-10 (1969).

A. Goldblum, "Modulation of the Affinity of Aspartic Proteases by the Mutated Residues in Active Site Models", FEBS, 261, pp. 241-44 (1990).

D. Grobelny et al., "Selective Phosphinate Transition-State Analogue Inhibitors of the Protease of Human Immunodeficiency Virus", Biochem. Biophys. Res. Commun., 169, pp. 1111-16 (1990).

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T.D. Meek et al., "Inhibition of HIV-1 Protease in Infected T-Lymphocytes by Synthetic Peptide Analogues", Nature, 343, pp. 90-92 (1990).

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M. Popvic et al., "Detection, Isolation, and Continuous Production of Cytopathic Retroviruses (HTLV-III) from Patients with AIDS and Pre-AIDS", Science, 224, pp. 497-500 (1984).

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H. Toh et al., "Close Structural Resemblance Between Putative Polymerase of a Drosophila Transposable Genetic Element 17.6 and pol Gene Product of Moloney Murine Leukemia Virus", EMBO J., 4. pp. 1267-72 (1985).

Each of the above listed documents was submitted with applicants' November 24, 1993 Information Disclosure Statement in U.S. application No. 08/142,327, now U.S. Patent 5,583,397, from which the present application claims priority. Therefore, no copy of the documents are provided herewith. 37 C.F.R. § 1.98(d). However, if the Examiner

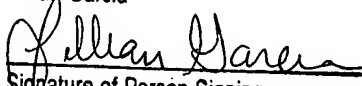
desires applicants to resubmit these documents, applicants request that the Examiner notify applicants in the next communication.


This Statement is submitted after the mailing date of the first Office Action. In accordance with 37 C.F.R. § 1.97, this Statement is accompanied by the fee as set forth in 37 C.F.R. § 1.17(p). If for any reason any additional fee is due, the Director is hereby authorized to charge payment of any fees required in connection with this Information Disclosure Statement to Deposit Account No. 06-1075. A duplicate copy of this letter is transmitted herewith.

Applicants respectfully request that these documents be (1) considered by the Examiner prior to issuance of any patent from this application; and (2) printed on any patent that may issue from this application. Applicants also request that a copy of enclosed Form PTO/SB/08A(10-01), as considered and initialed by the Examiner, be returned with the next communication.

Respectfully submitted,

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450 on

January 7, 2005  
Lillian Garcia  
  
Signature of Person Signing

  
James F. Haley, Jr. (Reg. No. 27,794)  
Karen Mangasarian (Reg. No. 43,772)  
Attorneys for Applicants

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Substitute for form 1449A/PTO				<b>Complete if known</b>	
				Application Number	10/786,997
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Filing Date	February 24, 2004
				First Named Inventor	Roger D. Tung et al.
				Art Unit	1625
				Examiner Name	D. Margaret Seaman
(use as many sheets as necessary)				Attorney Docket Number	VPI/92-07CIP2ADIV3 CON
Sheet	1	of	5		

U.S. PATENT DOCUMENTS					
Examiner initials*	Cite No. <sup>1</sup>	Document Number Number - Kind Code* (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 3,743,722	07/03/1973	Mohrs et al.	
		US- 4,330,542	05/18/1982	Descamps et al.	
		US- 4,629,724	12/16/1986	Ryono et al.	
		US- 5,196,438	03/23/1993	Martin et al.	
		US- 5,354,866	10/11/1994	Kempf et al.	

FOREIGN PATENT DOCUMENTS						
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		EP-0 022 118	01/07/1981	Sanofi SA		
		EP-0 181 071	03/14/1986	Squibb & Sons, Inc.		
		EP-0 264 795	04/27/1988	Merck Patent GmbH		
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		GB-2,200,115	07/27/1988	Sandoz Ltd.		
		JP-59046252	03/15/1984	Dainippon Ink & Chemicals; Dainippon Ink Rikagaku Kenkuys		
		JP-59048449	03/19/1984	Dainippon Ink & Chemicals; Dainippon Ink Rikagaku Kenkuys		

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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		WO-90/07329	07/12/1990	University of California		
		WO-91/00725	01/24/1991	Abbott Laboratories		
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		WO-92/08698	05/29/1992	Monsanto Co.		
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		WO-92/08700	05/29/1992	Monsanto Co.		
		WO-92/08701	05/29/1992	Monsanto Co.; Searle & Co.		
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		WO-94/19322	09/01/1994	Chugai Pharmaceuticals Ltd.; Esaki Toru		

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NON PATENT LITERATURE DOCUMENTS			
Examiner initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		R.D. Bindal et al., "Ab Initio Calculations on N-Methylmethanesulfonamide and Methyl Methanesulfonate for the Development of Force Field Torsional Parameters and Their Use in the Conformational Analysis of Some Novel Estrogens", <u>J. Am. Chem. Soc.</u> , 112, pp. 7861-68 (1990).	
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Sheet	4	of	5	Attorney Docket Number	VPI/92-07CIP2ADIV3 CON

NON PATENT LITERATURE DOCUMENTS			
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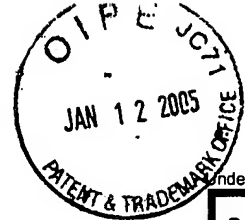
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<b>Substitute for form 1449A/PTO</b>				<b>Complete if known</b>	
				<b>Application Number</b>	10/786,997
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<b>Filing Date</b>	February 24, 2004
				<b>First Named Inventor</b>	Roger D. Tung et al.
(use as many sheets as necessary)				<b>Art Unit</b>	1625
				<b>Examiner Name</b>	D. Margaret Seaman
<b>Sheet</b>	1	<b>of</b>	5	<b>Attorney Docket Number</b>	VPI/92-07CIP2ADIV3 CON

U.S. PATENT DOCUMENTS					
Examiner initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		US- 3,743,722	07/03/1973	Mohrs et al.	
		US- 4,330,542	05/18/1982	Descamps et al.	
		US- 4,629,724	12/16/1986	Ryono et al.	
		US- 5,196,438	03/23/1993	Martin et al.	
		US- 5,354,866	10/11/1994	Kempf et al.	

FOREIGN PATENT DOCUMENTS						
Examiner initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
		EP-0 022 118	01/07/1981	Sanofi SA		
		EP-0 181 071	03/14/1986	Squibb & Sons, Inc.		
		EP-0 264 795	04/27/1988	Merck Patent GmbH		
		EP-0 346 847	12/20/1989	Hoffmann LaRoche		
		EP-0 364 804	04/ 25/1990	Abbott Laboratories		
		EP-0 468 641	01/29/1992	Shionogi & Co.		
		EP-0 486 948	05/27/1992	Abbott Laboratories		
		EP-0 541 168	05/12/1993	Merck & Co. Inc.		
		DE-3542567	06/05/1986	Squibb & Sons, Inc.		
		GB-2,167,759	6/04/1986	Squibb & Sons, Inc.		
		GB-2,200,115	07/27/1988	Sandoz Ltd.		
		JP-59046252	03/15/1984	Dainippon Ink & Chemicals; Dainippon Ink Rikagaku Kenkuys		
		JP-59048449	03/19/1984	Dainippon Ink & Chemicals; Dainippon Ink Rikagaku Kenkuys		

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Sheet	2	of	5
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**Complete if known**

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<b>Filing Date</b>	February 24, 2004
<b>First Named Inventor</b>	Roger D. Tung et al.
<b>Art Unit</b>	1625
<b>Examiner Name</b>	D. Margaret Seaman
<b>Attorney Docket Number</b>	VPI/92-07CIP2ADIV3 CON

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		R.D. Bindal et al., "Ab Initio Calculations on N-Methylmethanesulfonamide and Methyl Methanesulfonate for the Development of Force Field Torsional Parameters and Their Use in the Conformational Analysis of Some Novel Estrogens", <u>J. Am. Chem. Soc.</u> , 112, pp. 7861-68 (1990).	
		R. Bone et al., "X-ray Crystal Structure of the HIV Protease Complex with L-700,417, an Inhibitor with Pseudo C <sub>2</sub> Symmetry", <u>J. Am. Chem. Soc.</u> , 113, pp. 9382-84 (1991).	
		R.F. Borch et al., "The Cyanohydrinborate Anion as a Selective Reducing Agent", <u>J. Am. Chem. Soc.</u> , 93, pp. 2897-904 (1971).	
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		D.S. Dhanoa et al., "The Synthesis of Potent Macrocyclic Renin Inhibitors", <u>Tetrahedron Lett.</u> , 33, pp. 1725-28 (1992).	
		G.B. Dreyer et al., "Hydroxyethylene Isostere Inhibitors of Human Immunodeficiency Virus-1 Protease: Structure-Activity Analysis Using Enzyme Kinetics, X-ray Crystallography, and Infected T-Cell Assays", <u>Biochemistry</u> , 31, pp. 6646-59 (1992).	
		B.E. Evans et al., "A Stereocontrolled Synthesis of Hydroxyethylene Dipeptide Isosteres Using Novel, Chiral Aminoalkyl Epoxides and $\gamma$ -(Aminoalkyl) $\gamma$ -Lactones", <u>J. Org. Chem.</u> , 50, pp. 4615-25 (1985).	
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		G. Fontenot et al., "PCR Amplification of HIV-1 Proteinase Sequences Directly from Lab Isolates Allows Determination of Five Conserved Domains", <u>Virology</u> , 190, pp. 1-10 (1992).	
		P.G. Gassman and T.L. Guggenheim, "Opening of Epoxides with Trimethylsilyl Cyanide to Produce $\beta$ -Amino Alcohols", <u>J. Am. Chem. Soc.</u> , 104, pp. 5849-50 (1982).	
		E.E. Gilbert, "Recent Developments in Preparative Sulfonation and Sulfation", <u>Synthesis</u> , 1969, pp. 3-10 (1969).	
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		D. Grobelny et al., "Selective Phosphinate Transition-State Analogue Inhibitors of the Protease of Human Immunodeficiency Virus", <u>Biochem. Biophys. Res. Commun.</u> , 169, pp. 1111-16 (1990).	

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		K.Y. Hui et al., "A Rational Approach in the Search for Potent Inhibitors Against HIV Proteinase", <u>FASEB</u> , 5, pp. 2606-10 (1991).	
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